

From: [Mason, Steve](#)
To: [Carroll, Craig](#); [Thilsted, Eugene](#); [Moore, Gary](#)
Cc: [McQuiddy, David](#); [McMillan, Lee](#)
Subject: RE: EPA OEM info needed today!
Date: Wednesday, May 08, 2013 8:11:55 AM

There might be other materials stored at the facility that would need to be reported under EPCRA (Tier II), such as pesticides, etc. Tier II does have an exemption for fertilizers held by the retailer to be sold to the consumer, so the ammonium nitrate would probably be exempt from the reporting...

From: Carroll, Craig
Sent: Wednesday, May 08, 2013 7:44 AM
To: Mason, Steve; Thilsted, Eugene; Moore, Gary
Cc: McQuiddy, David; McMillan, Lee
Subject: FW: EPA OEM info needed today!

Steve, didn't see you on the list and thought you might have additional info regarding a requirements under EPCRA.

Eugene, I am not aware of any pesticide related requirements regarding AN as a fertilizer unless the AN will be mixed with a pesticide. In that case the facility would have to register as a Pesticide Producing Establishment. Are you aware of any?

Gary, are you coordinating the response?

Craig Carroll
Chief, Pesticide Section
U.S. EPA, Region 6
Ph. (214)665-2220

From: Janet Fults [<mailto:Janet.Fults@TexasAgriculture.gov>]
Sent: Wednesday, May 08, 2013 7:31 AM
To: Carroll, Craig; Moore, Gary
Subject: EPA OEM info needed today!

We are in need of knowing all of the agencies that would need to be contacted if someone were to start a fertilizer business handling AN. TDA Commissioner is addressing an audience **today** and needs to have this answer.

Since TDA is not the expert in this area and it doesn't look like the Feed and Fertilizer control service has a comprehensive list of agencies either, I am hoping you can help me out.

So far, I have:

State:

TX Feed and Fertilizer Control Service: Register the facility, register products, recordkeeping.

Local Fire Marshal: Provide list of chemicals on site upon request.

Federal:

EPA: OEM: Tier I or Tier II reporting for petroleum products above ground storage

DHS: Register facility, register purchasers of AN, background checks, recordkeeping (did this proposed rule ever go final?)

I know there is more but I am searching for information. There is no one stop shop for this type of info

that I can find. If there is anything you can add to this, PLEASE DO! I want this as accurate as possible.

Thank you so much.

Janet Fults

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